IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 26312 of 2005

Between:

Md.Umar

..... PETITIONER

AND

The Superintendent of Police,

Karimnagar and another

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the 2nd respondent and his subordinates of NTPC Police Station, Godavarikhani, Karimnagar District in harassing the petitioner and his family members who is a witness in Crime No.124/2005, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The petitioner submits that he was cited as a witness only in Crime No.124 of 2005, dated 07.10.2005, registered against one Pranathi and others for the offences under Section 324, 506, 448 r/w.Section 34 of I.P.C on a complaint filed by Karne Manjula. It is stated that the petitioner has no objection to make any statement as a truthful witness, but the 2nd respondent and his subordinates are unnecessarily harassing him by calling him to the police station and making him sit for hours together in the police station.

The learned Government Pleader for Home, after getting instructions, submitted that no such harassment is meted out to the petitioner.

Having regard to the facts and circumstances of the case, I am of the opinion that as and when the presence of the petitioner is required, the 2nd respondent may issue a notice or summon for his appearance either during course of investigation or before the trial Court. Without issuing any notice or summon, the 2nd respondent and his subordinates would not harass the petitioner and interfere with his personal life and liberty.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 13.12.2005

Dsr